

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LOUIS LEVIN,

Plaintiff,

:

Case No. 3:09-cv-287

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

-vs-

:

BARRY KAYE & ASSOCIATES, INC.,
et al.

Defendants.

MAGISTRATE JUDGE'S REPORT ON REFERENCE

On April 18, 2012, the Court referred this case to the undersigned to conduct a mediation (Doc. No. 73). However, after repeated contact with counsel for the parties, the Magistrate Judge finds that they are not unanimously willing to participate in mediation. Because the parties are not unanimously willing to participate, the mediation cannot be conducted.

This completes the reference. The Clerk will terminate the reference in the CM/ECF system.

July 5, 2012.

s/ *Michael R. Merz*
United States Magistrate Judge